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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,319	01/10/2002	Koichi Emura	P21907	8976
7055	7590	09/07/2006	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C.			DUONG, DUC T	
1950 ROLAND CLARKE PLACE			ART UNIT	
RESTON, VA 20191			PAPER NUMBER	
			2616	

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/019,319

Applicant(s)

EMURA KOICHI

Examiner

Duc T. Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>1-3</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Applicant is advised that should claims 1, 4, and 6-8 be found allowable, claims 12, 5, and 9-11 will be objected to under 37 CFR 1.75, respectively, as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).
2. Claim 14 is objected to because of the following informalities: On line 5, the word "which" is misspell as "whichr". Appropriate correction is required.
3. Claims 6-12 are objected to because of the following informalities: It is unclear what the acronym DTD, RDF, and Schema stand for. They need to be spell out.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

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Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Fuller et al (US Patent 6,877,134 B1).

Regarding to claims 1 and 12, Fuller discloses an information provision apparatus (fig. 19) comprising a data stream generation source 1200 which generates a data stream of content that has timewise continuity (col. 17 lines 58-67 and col. 18 lines 1-7); a metadata generation source 1300 which generates metadata which is data that describes said data stream content and that is unitized in correspondence to a segment of said data stream (col. 18 lines 8-15); and a capsulization section 1500 which capsulizes said data stream packets and said metadata unit packets and generating a capsulized stream (col. 18 lines 16-34).

Regarding to claims 2 and 23, Fuller discloses the metadata unit packet is placed so that processing of said metadata unit is completed before the processing start time of a corresponding segment of said data stream (col. 18 lines 7-15).

Regarding to claim 3, Fuller discloses the metadata packet includes the processing start time of the first packet of said corresponding segment of said data stream, and the duration of that segment (col. 9 lines 8-13).

Regarding to claims 4, 5, 24, and 25, Fuller discloses the metadata is described by structured description (col. 11 lines 31-39).

Regarding to claims 6-11, Fuller discloses the structure description is defined by XML (col. 11 lines 31-39).

Regarding to claims 13, 22, 28, and 29, Fuller discloses an information provision apparatus (fig. 19) comprising a data stream generation source 1200 which generates a data stream of content that has timewise continuity (col. 17 lines 58-67 and col. 18 lines 1-7); a metadata generation source 1300 which generates metadata which is data that describes said data stream content and that is unitized in correspondence to a segment of said data stream (col. 18 lines 8-15); a synchronization section 1600 which synchronizes said data stream segment and its corresponding said metadata unit (col. 18 lines 11-15); and a capsulization section 1500 which capsulizes said data stream packets and said metadata unit packets and generating a capsulized stream (col. 18 lines 16-34).

Regarding to claims 14, 20, 30 and 31, Fuller discloses an information receiving apparatus comprising an extraction section 510 which extracts a content data stream and metadata that describes that content from a capsulized stream (fig. 14 col. 15 lines 1-8); a synchronization section 1600 which synchronizes said data stream segment and its corresponding said metadata unit (col. 18 lines 11-15); and a processing section 530 which processes unit by unit said metadata that has been unitized in correspondence to a segment of said data stream (fig. 14 col. 15 lines 10-12).

Regarding to claim 15, Fuller discloses units are merged in accordance with restriction information for merging said metadata units (col. 11 lines 49-67 and col. 12 lines 1-13).

Regarding to claim 16, Fuller discloses processing section displays said metadata (col. 15 lines 12-14).

Regarding to claim 17, Fuller discloses processing section converts said data stream in accordance with conversion processing defined by said metadata (col. 16 lines 2-17).

Regarding to claim 18, Fuller discloses processing section capsulizes data stream packets and metadata unit packets and transfers capsulized said data stream packets and capsulized metadata unit packets to another node (fig. 1 col. 6 lines 39-67).

Regarding to claim 19, Fuller discloses processing section collects together a plurality of metadata and processes a plurality of said metadata together (col. 11 lines 47-48).

Regarding to claim 21, Fuller discloses synchronization section synchronizes said data stream segment and its corresponding said metadata unit stored in a storage section (col. 22 lines 1-4).

Regarding to claims 26 and 27, Fuller discloses an information provision apparatus (fig. 19) comprising a data stream generation source 1200 which generates a data stream of content that has timewise continuity (col. 17 lines 58-67 and col. 18 lines 1-7); a metadata generation source 1300 which generates metadata which is data that describes said data stream content and that is unitized in correspondence to a segment of said data stream (col. 18 lines 8-15); a synchronization section 1600 which synchronizes said data stream segment and its corresponding said metadata unit (col. 18 lines 11-15); a capsulization section 1500 which capsulizes said data stream packets and said metadata unit packets and generating a capsulized stream (col. 18 lines 16-34); an extraction section 510 which extracts a content data stream and metadata that

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describes that content from a capsulized stream (fig. 14 col. 15 lines 1-8); a synchronization section 1600 which synchronizes said data stream segment and its corresponding said metadata unit (col. 18 lines 11-15); and a processing section 530 which processes unit by unit said metadata that has been unitized in correspondence to a segment of said data stream (fig. 14 col. 15 lines 10-12).

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Duong whose telephone number is 571-272-3122. The examiner can normally be reached on M-F (9:00 AM-6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D. Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DD



HUY D. VU  
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